

REMARKS

The claims as submitted herein included claims 1-11 and claims 18-26 with independent claims 1, 18 and 22. Claims 1-11 have been amended, claims 12-17 have been cancelled and claims 18-26 have been added.

In the Office Action, claims 1 and 9 were rejected under 35 USC § 112. These claims have been amended to avoid these rejections.

Claims 1-4, 16-9 and 17 were rejected based on U.S. Patent No. 5,929,133 issued to Watanabe et al. (the Watanabe patent). Claims 5 and 12-16 were rejected based on the combination of the Watanabe patent with U.S. Patent No. 4,565,738 issued to Purdy (the Purdy patent). The Watanabe patent discloses a monolayer PVC film. The Purdy patent teaches a multiple-layer film, having a base layer of a propylene polymer and at least one surface layer formed from a blend of a propylene-ethylene block copolymer and an ethylene-higher olefin random copolymer.

The independent claims have been amended to recite a film that comprises at least two layers that each include polyvinyl chloride and at least one other constituent included in sufficient amount so that the layers have desired properties. Claim 18 further recites that the at least two layers are sufficiently distinct from each other to have different gas permeabilities. Claim 26 further recites that the at least two layers are sufficiently distinct from each other to have different melting points.

Neither reference, alone or combined, teaches or suggests a film having at least two PVC layers. Further, the references of record do not teach or suggest a film with layers that include

PVC and that are sufficiently distinct from each other to have different gas permeabilities or different melting points.

Accordingly, Applicant believes that the application is now in condition for immediate allowance. In the event the Examiner finds any remaining impediment to a prompt allowance of the claims which could be clarified or satisfied by a telephonic discussion or interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

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Respectfully submitted,


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PATENT TRADEMARK OFFICE

1. (amended) A [polymer composite] packaging film [for packaging fresh meat and vegetable produce, the composite film having a thickness and is compounded to have a film surface with anti-fog properties for visual clarity and to have gas permeability rate control,] comprising:

at least two layers that each include polyvinyl chloride and at least one other constituent included in sufficient amount so that the layers have desired properties [a polymer film substrate that has a molecular chain order and into which a surface active agent and a plasticizer active ingredient are incorporated; the surface active agent incorporated in an amount that provides a film surface over which ambient or latent moisture generally uniformly spreads to form a generally optically transparent moisture-carrying film surface; and the plasticizer active ingredient incorporated in an amount and in cooperation with the molecular chain order in the polymer film substrate and the thickness of the polymer composite film to provide the polymer composite film with a predetermined gas permeability rate].

2. (amended) The [polymer composite] film of claim 1, [in which the polymer film substrate includes polyvinyl chloride and the composite film is of a monolayer type] wherein the constituent is a surface active agent.

3. (amended) The [polymer composite] film of claim [1] 2, [in which the polymer film substrate is prestretched or heated to provide an orientation of the molecular chain that increases its order and thereby contributes to the predetermined gas permeability rate] wherein

the surface active agent is included in an amount that promotes ambient or latent moisture to uniformly spread on the surface of the film.

p34

4. (amended) The [polymer composite] film of claim [1] 2, [in which] wherein the amount of surface active agent ranges from between about 0.001 and 5 parts/hundred resin. A5

5. (amended) The [polymer composite] film of claim [4] 2, [in which] wherein the surface active agent includes one or more of surfactant, antistat, antiblock, and slip agents.

6. (amended) The [polymer composite] film of claim 1, [in which the amount of] wherein the constituent is a plasticizer [active ingredient ranges from between about 5 and 60 parts/hundred resin].

7. (amended) The [polymer composite] film of claim 6, [in which] wherein the plasticizer [active ingredient] is selected from [a] the group [including] consisting of di(2-ethylhexyl) adipate and epoxidized soya bean oil.

8. (amended) The polymer composite film of claim [7] 6, [in which] wherein the amount of plasticizer ranges from between about 5 and 60 parts/hundred resin [multilayer polymer composite film structure is formed by lamination or extrusion of the polymer film substrate and the second layer].

9. (amended) The [polymer composite] film of claim 1, wherein at least one of the layers further [comprising] comprises a process aid [in an amount sufficient to provide adequate lubrication and heat stabilization for the polymer composite film to withstand its process of manufacture].

10. (amended) The [polymer composite] film of claim 1, wherein the constituent [further comprising] is a copolymer [additive to the polymer film substrate in an amount sufficient to change a modulus property of the polymer composite film without appreciable changing its gas permeability rage].

11. (amended) The [polymer composite] film of claim 10, in which the copolymer [additive] is selected from [a] the group [including] consisting of PVCPVA [or] and polyester adipate.

18. (new) A packaging film comprising:
at least two layers that each include polyvinyl chloride and at least one other constituent included in sufficient amount so that the layers have desired properties,
wherein the at least two layers are sufficiently distinct from each other to have different gas permeabilities.

19. (new) The film of claim 18, wherein the constituent is a surface active agent.

20. (new) The film of claim 18, wherein the constituent is a plasticizer.

21. (new) The film of claim 18, wherein the constituent is a copolymer.

22. (new) A packaging film comprising:

at least two layers that each include polyvinyl chloride and at least one other constituent
included in sufficient amount so that the layers have desired properties,
wherein the at least two layers are sufficiently distinct from each other to have different
melting points.

23. (new) The film of claim 22, wherein the constituent is a surface active agent.

24. (new) The film of claim 22, wherein the constituent is a plasticizer.

25. (new) The film of claim 22, wherein the constituent is a copolymer.

26. (new) The film of claim 22, wherein the at least two layers include the inner layer
of the film and the outer layer of the film, and wherein the inner layer has a lower melting point
than the outer layer.